

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

MEKS TRUSTLINK (PRIVATE) NIGERIA
LIMITED and EMMANUEL UZOR,
Plaintiffs

SUPPLEMENTAL
SUMMONS IN A CIVIL ACTION

V.

M/V MSC NAPOLI, her engines, tackle, boiler, etc.,
in rem, Metvale Limited, Metvale Limited
Partnership, and Mediterranean Shipping
Company S.A., in personam,

CASE NUMBER: 07 Civ. 8345 Judge Hellerstein

Defendants.

TO: (Name and address of Defendant)

Metvale Limited
P.O.Box 146
Road Town
Tortola, B.V.I.

Metvale Limited Partnership
80 Broad Street
Monrovia, Liberia

Mediterranean Shipping Company S.A.
420 Fifth Avenue, New York, NY 10018

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Hill Rivkins & Hayden LLP
45 Broadway
New York, NY 10006

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

DEPUTY CLERK

OCT 16 2007

DATE

*AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		\$0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

U.S. Department of Justice
United States Marshals Service



REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS

DEMANDE
AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965.

Convention relative 'a la signification et 'a la notification 'a l'etranger des actes judiciaires ou extrajudiciaires en matiere civile ou commerciale, signee 'a La Haye, le 15 Novembre 1965.

<p>Identity and address of the applicant <i>Identite et adresse du requerant</i></p> <p>HILL RIVKINS & HAYDEN LLP 45 Broadway, Suite 1500 New York, New York 10006</p>	<p>Address of receiving authority <i>Adresse de l'autorite destinataire</i></p> <p>THE REGISTRAR OF THE SUPREME COURT TORTOLA, BRITISH VIRGIN ISLANDS</p>
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The undersigned applicant has the honour to transmit in duplicate the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,
(identity and address)

Le requerant soussigne a l'honneur de faire parvenir en double exemplaire a l'autorite destinataire les documents ci-dessous enumeres, en la priant conformement a l'article 5 de la Convention precitee, d'en faire remettre sans remettre un exemplaire au destinataire, savoir:
(identite et adresse)

METVALE LIMITED, P.O.Box 146, Road Town, Tortola, British
Virgin Islands

☒ (a) in accordance with the provisions or sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) selon les formes legales (article 5 aline a premier, lettre a).

☐ (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
b) selon la forme particuliere suivante (article 5, aline 'a premier, lettre b):

☐ (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*:
c) le cas echeant, par remise simple (article 5, aline a 2).

The authority is requested to return or to have returned to the applicant a copy of the documents and of the annexes--with a certificate--a provided on the reverse side.

Cette autorite est prie de renvoyer ou de faire renvoyer au requerant un exemplaire de l'acte et de ses annexes -avec l'attestation figurant au

List of documents
Enumuration des pieces

Supplemental Summons
Amended Complaint
Notice of Court Conference
Civil Case Management Plan
Individual Rules of the
Hon. Alvkin K. Hellerstein

Done at New York, New York, the 29th day of
Fa't'a le November 2007

Signature and/or stamp
Signature et/ou cachet

HILL RIVKINS & HAYDEN LLP
BY: Thomas E. Willoughby
THOMAS E. WILLOUGHBY

*Delete if inappropriate
Rayer les mentions inutiles.

**CERTIFICATE
ATTESTATION**

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,
L'autorite soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention.

1) that the document has been served *

que la demande a été exécutée

-the (date) -le (date)

-at (place, street, number) -à (localité, rue numéro)

--in one of the following methods authorized by article 5-

--une des formes suivantes prévues à l'article 5

☐ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention*.

a) selon les formes générales (article 5, alinéa premier, lettre a)

☐ (b) in accordance with the following particular method:

b) selon la forme particulière suivante:

☐ (c) by delivery to the addressee, who accepted it voluntarily.*

c) par remise en main

The documents referred to in the request have been delivered to:

Les documents mentionnés dans la demande ont été remis à

-identity and description of person

-identité et qualité de la personne

-relationship to the addressee family, business or other

-liens de parenté de subordination ou autres, avec le destinataire de l'acte

2) that the document has not been served, by reason of the following facts*:

** que la demande n'a pas été exécutée, en raison des faits suivants:*

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to
pay or reimburse the expenses detailed in The attached statement*

Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint.

Annexes

Annexes

Documents returned:

pièces renvoyées

In appropriate cases, documents establishing the service:

le cas échéant, les documents justificatifs de l'exécution:

Done at _____, the _____
Fait à _____, le _____

Signature and/or stamp.
Signature et/ou cachet.

SUMMARY OF THE DOCUMENT TO BE SERVED
ELEMENTS ESSENTIELS DE L'ACTE

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965.

Convention relative à la signification et à la notification des actes judiciaires et extrajudiciaires en matière civile ou commerciale, signée à La Haye, le 15 Novembre 1965.

(article 5, fourth paragraph)
(article 5. alinea 4)

Name and address of the requesting authority:

Nom et adresse de l'autorité requirante:

HILL RIVKINS & HAYDEN LLP, 45 Broadway, Suite 1500, New York, NY 10006

Particulars of the parties:

Identité des parties:

METVALE LIMITED, P.O.Box 146, Road Town, Tortola, British Virgin Islands

JUDICIAL DOCUMENT
ACTE JUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte:

To notify Metvale Limited of a lawsuit in which they have been named as defendant.

Nature and purpose of the proceedings and, where appropriate, the amount in dispute:

Nature et objet de l'instance le cas échéant le montant du litige:

To recover monies due Meks Trustlink (Private) Nigeria Limited and Emmanuel Uzor from Metvale Limited resulting from non-delivery of shipment.

Date and place for entering appearance-

Date et lieu de la comparution:

As set forth in the attached documents.

Court which has given judgment:**

Jurisdiction qui a rendu la décision:

N/A

Date of judgment:**

Date de la décision:

N/A

Time limits stated in the document:**

Indication des délais figurant dans l'acte:

EXTRAJUDICIAL DOCUMENT
ACTE EXTRAJUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte:

Time limits stated in the document:**

Indication des délais figurant dans l'acte:

